

<p style="text-align: center;">Town of La Pointe Planning and Zoning Town Plan Commission Special Monthly Meeting Minutes December 2, 2015</p>

Town Plan Commission (TPC) Members Present: Charles Brummer, Vice-Chair; Suellen Soucek; Mike Starck; Greg Thury; Joan Martin (5).

Town Plan Commission members absent: Ted Pallas, Chair; Margie Denton (2).

Public Present: Clayton, Douglass, Claire Douglass, Michael Childers, Glenn Carlson, Paul Brummer, Dave Marano, Kristen Schulze and Nick Montano (8)

Town Staff Members Present: Lisa Potswald, Planning and Zoning Administrator (1).

I. Call to Order/Roll Call

Vice Chair Brummer calls the meeting to order at 4:01 PM. Roll call reflects members present or absent as recorded above.

II. Public Comment

None.

III. Approval of Previous Meeting Minutes

a. Town Plan Commission Special Monthly Meeting, November 10, 2015.

G. Thury moves to approve the Town Plan Commission Special Monthly Meeting minutes of November 10, 2015 as corrected. S. Soucek seconds. Five in favor; motion carries.

b. Public Hearing Minutes, November 18, 2015 – Hartzell Map Change

M. Starck moves to approve the Public Hearing Meeting minutes of November 18, 2015 as written. S. Soucek seconds. Five in favor; motion carries.

IV. Zoning Administrator's Report

a. ZA reports that the November report will be available next week.

J. Martin arrives at 4:40 p.m.

V. Consideration and/or Action of Permit Applications

a. **Recommendation to the Town Board regarding Robert Hartzell's and Wally Waffensmith's request to amend the Town of La Pointe Zoning District Boundaries to change Lots 4, 5, and 7 of the Second Addition to the Hartzell Subdivision from R-1 to R-3 for purposes of constructing townhomes.**

M. Starck says the letters sent by Cox and Martin make sense. Mr. Hartzell doesn't own lot 7, and there are concerns about density. Mr. Hartzell already has lots with rental property on them in the neighborhood. M. Starck said Cox and Martin don't want rentals next to them, as it was zoned R-1 (single family, low density) when they bought their property. Brummer points out lots 4, 5, and 7 are the only 3 lots that are R-1; the rest are R-3 (multifamily), but it doesn't diminish the concerns. ZA also points out that all lots on Golf Course are presently zoned R-3 except for the 3 lots in question, which are presently zoned R-1. ZA said that these 3 lots got missed in last zoning update. M. Starck says he thought they were all R-1.

Vice Chair Brummer says he would not have an issue with this but one concern is about the conditional use permit for an unbuilt spa across the road. If zoning is increased 3-fold on the other side of the road, how will this affect the neighborhood? ZA points out that permits for the structure still need to be approved. Brummer says the conditional use permit doesn't expire unless owner gives it up, so development could begin at any time. If not for that, he would not have a problem with changing zoning across from this to R-3. He must also consider concerns of 3 neighbors.

J. Martin asked if any of the people opposed rent out their properties – ZA replied that Martin does. Cox does not have a structure, and Dalquist lists his as his home. Thury wonders if the Town Plan Commission can recommend 2 of the 3 lots for rezoning to the Town Board. ZA points out that the request can be amended as per the zoning ordinance. M. Starck said there is no limit on what Hartzell could put on the property. ZA points out that R-3 is limited to 4 units. S. Soucek asked if they have to change all 3 lots; M. Starck says no.

G. Thury states he was not at the public hearing but listened to the recording of the meeting and will sign an affidavit. J. Martin also was not at the public hearing but listened to the recording and will sign an affidavit.

J Martin asks about Dalquist property and why it says he is 100 feet from the property requesting to be rezoned – she does not understand. Brummer and ZA clarified that Dalquist is referring to a sliver of property he owns that runs parallel to Penny Lane. Brummer states that Cox's and Martin's concerns are more valid.

M. Starck moves to recommend to the Town Board to authorize a zoning map change for lots 4 and 5 from R-1 to R-3; S. Soucek seconds. Five in favor; motion carries.

VI. New Business

a. Zoning Interpretation Requested for Parcel 014-00070-0250, owned by Sanders Marvin

ZA contacted Sanders Marvin to confirm that he is giving permission for his property to be used in the manner proposed; Mr. Marvin called to respond that he does give his permission.

The caretakers of the property intend to purchase this parcel and 2 others. They have built a horse corral on one parcel and have 3 horses corralled there. The parcel however is zoned S-1, and livestock is a conditional use, not a permitted one. After discussion, the options available are 1) apply for a conditional use permit (\$750 fee); 2) request a zoning change to allow livestock in S-1; and 3) move the horses onto the one parcel that is zoned W-1 (014-00070-0270). The caretakers said they intend to move the horses to the W-1 parcel; however they first must put a road into the property, and that will not happen until next summer.

M. Starck moves to temporarily allow the three horses to remain in their present location until July 15, 2016, that the caretakers must apply for a driveway permit, and only 3 horses can be kept on the parcel; G. Thury seconds. Five in favor; motion carries.

VII. Old Business

a. Parks and Recreation Plan – Review and Recommend Approval to Town Board

The Town Plan Commission has been working on updating the Parks and Recreation Plan for most of 2015, especially as it relates to the Rieman Park property. While not all TPC members are at this meeting, it was agreed that it should go to the Town Board before the end of the year. M. Starck moves to recommend the Parks and Recreation Plan to the Town Board for approval; G. Thury seconds. Five in favor; motion carries.

b. Town Zoning Budget

ZA will pass out the 2016 zoning budget to the Town Plan Commission. The zoning administrator position has been reduced to half-time, the number of TPC meetings has been reduced from 24 to 18, and no Board of Adjustment meetings were included in the budget. That does not mean that only 18 TPC meetings can be held or that no BOA meetings can occur; it only means they are not in the budget. Funds will need to be transferred from another budget to cover any overages.

c. MISA/Craftivity Change of Use Permit Revocation/Claim

Nothing new.

d. NR 115 Changes to Zoning Ordinance – State Budget Changes

ZA attended training on Act 55 and its effects on NR 115. Suffice it to say that the Town's zoning ordinance must be updated.

e. Private Road/Driveway Ordinance

- 1) Letter for existing property owners with driveways
- 2) Second draft of ordinance for going forward (new driveways)
- 3) Appeal process

Nothing to report.

f. Camping Units/Campsites – Update

Nothing to report.

g. SB 104/AB 154 Update

Nothing to report; the Legislature takes up again in January.

VIII. Future Agenda Items

a. MISA/Craftivity Change of Use Permit Revocation/Claim

b. Private Road/Driveway Ordinance

- 1) Letter for existing property owners with driveways

- 2) Second draft of ordinance for going forward (new driveways)
- 3) Appeal process
- c. Camping Units/Campsites - Update
- d. SB 104/AB 154 Update
- e. Meents CSM Issues

IX. Schedule Future Meetings

Next Special Monthly Meeting is scheduled to be held **Wednesday, December 16, 2015 at 4:30 p.m.**

X. Adjournment

G. Thury moves to adjourn. M. Starck seconds. All in favor. Motion carries. Meeting ends at 5:32 pm.

Town Plan Commission minutes respectfully submitted by Lisa Potswald, Planning and Zoning Administrator, on Friday, December 4, 2015.